

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BENJAMIN FONKEM,

Plaintiff

CIVIL ACTION NO.:
04-10754-EFH

v.

DEAN O'MALLEY, ET AL.,

Defendants.

ORDER OF SEVERANCE

February 1, 2006

HARRINGTON, S.D.J.

Upon review of the file, the Court severs from the trial of this case Count II – an alleged violation of Massachusetts General Laws, Chapter 12, §§ 11H-I – and Count III – an alleged violation of Massachusetts General Laws, Chapter 214, § 1B. The trial, scheduled to commence on Monday, March 13, 2006, shall proceed at this time only on federal Count I – an alleged violation of the federal statute, Title 42, United States Code, § 1983.

SO ORDERED.

/s/ Edward F. Harrington
EDWARD F. HARRINGTON
United States Senior District Judge